

OCT 25 2004

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 309J-300410US						
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on October 20, 2004</p> <p><u>Juliana Hermes</u> Signature</p> <p>Typed or printed name Juliana Hermes</p>		<p>In re Application of Gary N. Cherr et al.</p> <table border="1"> <tr> <td>Application Number 10/076,902</td> <td>Filed February 13, 2002</td> </tr> <tr> <td colspan="2">For THE USE OF SULFONATED COMPOUNDS AS A RARRIER CONTRACEPTIVE</td> </tr> <tr> <td>Art Unit 1617</td> <td>Examiner Shaojia A. Jiang</td> </tr> </table>	Application Number 10/076,902	Filed February 13, 2002	For THE USE OF SULFONATED COMPOUNDS AS A RARRIER CONTRACEPTIVE		Art Unit 1617	Examiner Shaojia A. Jiang
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Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 340.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 170.00
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0893. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant/inventor.
- assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)
- 2/27/04 GANTHONY 00000004 500893 10076902
Sale R-f 0000004 DAH 500893 10076902
01 FC:1253 490.00 DA
- attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a). _____



Paul J. Lepage

Typed or printed name

(510) 337-7871

Telephone number

October 20, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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